Sectt. II-27—45,006—19-10-39.

PUBLIC (ELECTIONS.) (1941) Department.

Mis SERIES.

G.O. No. 2051

Dated 18-9-1941

[Despatch Abstract.]

SUITS - South Kanara - Puttur District Munsifs Court -Electoral rolls, 1937 -Arrears of printing charges -Suit filed by the Manager, Harihara Press, Puttur - Defence of the Suit - Orders Passed.

C.F. 31—12,006—28-11-39

REVENUE DEPARTMENT.

CURRENT No.

Received _____ 19 *Registered* 11021 4/4 19

Subject.

Elections - (South Kanara) - Electoral rolls 1937 - Final Rolls - Provincial Legislatures and the local boards - Puttur Registration area - Arrears of printing charges - Suit Notice by the Managar, Hari Hara Press - Puttur.

Refce. A. No. 1139/41-1.

Station Madras, *Dated the* 3rd April 1941.

From
S.Venkateswatan, Esq., I.C.S.,
Secretary,
Board of Revenue.

F.W.Stewart, Esq.C.I.E., M.C., I.C.S.,
Commissioner of Land Revenue.

Read the following:--

Letter from M.V.Subrahmanyan Esq.,I.C.S., Collector of South Kanara, Ref.A3-6698/40, dated the 25th March 1941.

Reference.

Submitted to the Government.

N. Aiyaswami
for Secretary.

To the Secretary to Government, Public (Elections) Department, with records as per list and with the duplicate copies of Collector's letter and suit notice in original.

Copy to the Collector of South Kanara.

A.S.R./3-4.

P.T.O.

3/

Ref.A3-6698-40. South Kanara Collector's Office,

Mangalore, dated 25 - 3 - 1941.

From

M. V. Subrahmanyan Esq., I.C.S.,

Collector of South Kanara.

To

The Secretary to Government,

Public (Elections) Department,

M a d r a s.

Through

The Secretary to the Board,

Land Revenue & Irrigation,

M a d r a s.

Sir,

Elections - Electoral rolls - 1937 - Final rolls - Provincial Legislatures -Puttur Registration area -arrears of claim -Harihara Press, Puttur - suit notice.

I enclose herewith a copy of the suit notice received by me on behalf of Sri H. Subraya Kamath, Manager of the Harihara Press, Puttur. A sum of Rs. 2322-3-8 was claimed by him as printing charges of the final electoral rolls for the year 1937 relating to the General, Muhammadan and Indian Christian constituencies of the Puttur Revenue Divisional Registration area. The bill was duly certified by the Revenue Divisional Officer, Puttur and was sent to the Superintendent, Government Press by this office for payment, with specimen copies of rolls relating to the General, Muhammadan and Indian Christian Constituencies of the Legislative Assembly for the Puttur Registration area and the Dt.Board rolls relating to this area together with the Panchayat Board rolls for Kasargod Taluk. Out of the amount claimed in the bill, the Superintendent allowed only a sum of Rs. 1766-12-0. He did not pass the remaining amount on the ground that the amount was not claimed with specimen copies. He requested the Collector to inform the printer to prepare

A

L2813-40

2322-3-8
1766-12-0
555-7-8

and forward a consolidated bill in duplicate together with printed specimens for Panchayat Board rolls at Re.0-8-0 a page and for Rs. 6-4-0 being the charges for claims and objections statement form, heading slips etc. Accordingly in this office D.Dis. 2230-1937 dated 29-10-1938, the Manager was requested to send up a supplemental bill. In response to this, the Manager of the Press stated that he had already sent the specimen copies when the claim was originally made by him. He has been requesting the payment of the balance due to him from time to time without preferring a supplemental bill for the same after enclosing specimen copies as desired by the Superintendent. The Manager now threatens to sue the Government if the balance is not paid to him urgently alleging that he had already produced all the requisite specimen copies in the first instance and he produces an extract from his tappal register in support of this contention. The Revenue Divisional Officer states that the specimen copies of the rolls in respect of the panchayat areas of Puttur Taluk (except those relating to the Kalanja, Laila and Ujre Panchayats) and of the claims and objection forms and heading slips were not received by him. A supplemental bill could not be prepared in this office as the bill for the amount was sent in original to the Superintendent, Government Press and as the information supplied by the Superintendent in response to this office Ref.A3-6698-40 dated 2-12-40 does not enable this office to differentiate completely the details for the paid off items from those relating to the non-paid off ones for which the claim has now been made.

As the Manager of the Press persisted in not preferring a supplemental bill and as the repeated efforts on the part of this office to secure compliance with the Superintendent's letter were of no avail, the Superintendent was requested to pay the balance urgently. Along with this letter printed copies of Panchayat Board rolls relating to the Puttur Registration area obtained from the Dt, Panchayat Officer, South

Kanara were also enclosed. In reply to this letter the Superintendent stated that no fresh order of payment could be issued on the original bill and that any supplemental claim should be supported by proper bill and specimen vouchers. He, however, suggested that a supplemental bill might be prepared in duplicate with reference to the original claim as passed by him and the same forwarded to him with the remaining specimen copies relating to Kasargod Taluk and of forms claims and objections statement and Heading slips for scrutiny and payment. The specimen copies of the Panchayat Board rolls relating to the Kasargod Taluk were sent to the Superintendent, Government Press with this office Ref.A3-2230-38 dated 17-8-38 and the specimen copies of forms, claims and objections statement and Heading slips are not available either in the office of the Revenue Divisional officer Puttur or in that of the Dt.Board. There is no use asking the Manager of the Press again to supply the specimen copies. Hence I am not able to comply with the suggestion of the Superintendent, Government Press.

I consulted the Government Pleader, Mangalore whether there is case for the Government if the threatened suit is actually filed. The Government Pleader states as follows: It is clear that the Manager has not been paid for the printing of the Panchayat Board rolls. If this is correct, I do not think any informality in the manner of the presentation of his claim will exonerate the Government from payment for work actually done.

I therefore request that the balance of Rs. 555-7-8 (2322-3-8 minus 1766-12-0) may be sanctioned to be paid to the printer.

The records mentioned below are sent herewith for reference and return.

D.Dis. 2230-37 (Vol.VII). —

7

Puttur, S.K.,

24th January 1941.

To

The Collector of

South Kanara.

Honoured sir,

I have the honour to state that I am instructed by my client Mr. H. Subraya Kamath, Manager of the Harihara Press, Puttur, South Kanara to intimate to you that complete payment of printing the electoral rolls of 1937 as contracted between the Revenue Divisional Officer, Puttur, as representing the Provincial Government of Madras and the said Mr. H. Subraya Kamath is not yet made. The act of printing and supplying copies of electoral rolls, billing for the charges, clearing the defects and answering querries etc. was done more than two years ago., though ----- correspondence between my client and the representatives of ----- Government have continued up to the 24th of November 1940. A part payment (Rs.1766.12.0) of the amount due to my client was made only on 31st October 1938. My client already intimated to the Divisional Officer and to you that the rates contracted for are to be disbursed to him literally as he suffered sheer loss by the bargain. He also claimed interest on the amount billed for as there was no prompt payment. My client represented to you his grievances in detail specially in his communications dated the 3rd October 1938 and the 26th September 1940 leaving alone other requests.

2. The balance due to my client from Government is Rs.555.7.8. In purchasing materials for printing the electoral rolls my client had to pay heavy rate of interest to his creditors. Hence he is also entitled to interest from Government at least at 6¼ per cent per annum on the full claim of Rs.2322.3.8.

3. In the present state of my client's circumstances, he is unable to forego the least rate of interest and to allow the claim to be time-barred.

4. If the remaining principal amount due to my client with

⊕ 1766-12-0
555-7-8
2322-3-8

interest on it and on the amount already paid up to the date of payment is not forth coming within two months from the receipt of this notice, my client will be constrained to file a civil suit against the Province of Madras, to recover the money due to him with costs he will have to incur.

5. I request that you may be pleased to take this representation as a notice contemplated by section 80 of the Civil Procedure Code, 1908.

I have &c.,

Sd/- H. Ganapathy Rao,
I Grade Pleader,
Puttur, S.Kanara.

(True Copy)

For Collector.

25.3.11

9 3

Public(Elections) Dept.

Endorsement No. 11021-1 d/ 5-4-41

Electoral rolls - Provincial Legislature - Annual revision, 1937 - Printing charges - Claim - Suit notice by Manager, Hari Hara Press, Puthur. From the Collector of South Kanara, Ref. A3-6698/40 dated 25-3-1941.

Referred to the S.G.P. for remarks.. He is asked to state urgently ~~immediately~~ whether, in the circumstances explained by the Collector in his letter, the balanc of claim now preferred by the Manager, Hari Hara Press is justified.

5/4

4/4/41

4/4

The S.G.P. (with C.F. in original and records to be returned with reply)

(pp 3-8 CF)

Follows precedent pl. See Endt at p. 4 g (M)

Removed

Removed sent to Deby office (pp 3-8 CF.)

Remarded on 1/5/41

11

C.F. 30.

DEPARTMENT.

Received ..... 19 *Registered* 19

Subject.

Electoral Rolls - Provincial Legislature - Annual Revision, 1937 - Printing at private press - Hari Hara Press, Puthur - Suit Notice by Manager - Claims - Public (Elections) Department -

14663
7/5

ASSISTANT SECRETARY TO GOVT. 7 - MAY 1941

ENCLOSURES.
No. 2 copies of letters and 3 files.
Spare copies .....

No.P.P.712.

Station Madras, *Dated the* 6th May 1941.

From (Name) A. G. Anderson Esq.,

(Designation) Superintendent, Government Press,

To The CHIEF *Secretary to the Government of Madras,*

PUBLIC (ELECTIONS) *Department.*

Sir,

pp 9 ante

Ref:- Public (Elections) Department Endorsement No. 11021-1, dated 5th April 1941.

With reference to the above I have the nonour to state that the claim of the Hari Hara Press, Puthur for Rs 2322-3-8 was correctly passed for payment for Rs 1,766-12-0 after scrutiny with reference to the actual appearing matter and the permissible maximum rate as fixed by Government in their Public (Elections) Department Memorandum No. 3604-2 dated 8th February 1938.

(N) pp 6-7 & 13.

*Vide statement attached.

2. Full details of claims for the printing work done by the press as preferred by it and passed by this office are given below*.

pp 13-16 ante

3. From the particulars given it may be noted that only in the case of the last four items the claims of the printer were completely disallowed for the reason that in the case of Claim and objection statement and Heading slips the specimens required for checking the bill were not sent as such the contingent

contingent charges were inadmissible. In other cases the short admittance of the claims of the printer was due to one or the other following causes.

(1) Excess claims with reference to the actual number of appearing pages.
(2) Wrong claims under Double column printing instead of single column printing.
(3) Mingling of claims pertaining to different type sizes.
(4) Claims above the maximum rate fixed by Government in respect of alteration of heading to local boards.

4. As under Note 3 to Public (Elections) Department Memorandum No. 3604-2 dated 8th February 1934 as all charges for folding, gathering, etc. are to be taken as included in the cost per page, the separate claims of the printer in respect of these items were disallowed, but he has been given the maximum rate per page as fixed by Government instead of lower rates claimed by the printer

5. Under the circumstances, so far as the bill under reference is concerned it has completely been settled except for the last four items amounting to Rs 15-1-6. The last item, Contingent charges is inadmissible. If Government are pleased to admit the charges for the three other items, viz., Rs 9-8-0 without specimen, I have no objection.

6. Any supplemental claim will arise only in cases of fresh items of work done by him but not included in the present bill for Rs 2,322-3-8 under reference. If there be any, the printer should prefer his claim separately supported by vouchers for work done by him but not already claimed in the above bill for my scrutiny and issue of pay order.

7. The enclosures received with the reference are herewith returned.

Superintendent.

Statement.

Details of work.	No.of pages claimed by the printer.	No.of pages found by actual count in the Govt. Press and admitted	Rate per page claimed by the press	Rate per page admitted by the Govt. Press.	Total Claimed by the press. Rs.As.Ps.	Total Admitted by the Government Press Rs.As.Ps.
			Rs.As.Ps.	Rs.As.Ps.		
A.Puthur Taluk.						
1.General Consty.	262 D.Col.	246 D Col	1 12 0	1 14 0	458 8 0	463 2 0
-do- supplemental	6¼ " F.C.Quarto	6¼ -do- F.C.Quarto	0 14 0	0 15 0	5 11 0	6 1 6
Alteration of heading Dt.Board.	184	184	0 6 0	0 2 0	69 0 0	23 0 0
A Binding charges					60 13 1	Nil
2. Muhammadan	190 G.Primer D.Col. F.C. quarto	42 G.P. D.Col. F.C.quarto.	0 14 0	0 15 0	166 4 0	39 6 0
		126 Single col.E.Body F.C.quarto.	-do-	-do-	--	94 8 0
	4 -do-	4 D.Col. G.Primer F.C.quarto.	-do-	-do-	3 8 0	3 12 0
Alteration of heading for Dt.Board.	184	184	0 4 0	0 2 0	46 0 0	23 0 0
A Gathering, collating, etc.	-	-			36 11 0	Nil.
3. Indian Christian.	191 G.Primer D.Col. F.C. quarto.	16 G.Primer D.Col.	0 14 0	0 15 0	167 2 0	15 0 0
		116 E.Body S.Column.				87 0 0
	2 D.Col. G.Primer	2 D.Col. G.Primer	0 14 0	0 15 0	1 12 0	1 14 0
Alteration of headings for Dt.Board.	184	184	0 4 0	0 2 0	46 0 0	23 0 0
A Gathering, etc.	-		-	-	36 11 0	Nil.
B.Kasargod Taluk.						
1.General	290 G.Primer	278 G.Primer.	1 12 0	1 14 0	507 8 0	521 11 6
	1 F.C.quarto	1 F.C.4to.	0 14 0	0 15 0	0 14 0	0 15 0
Alterations	114	114	0 6 0	0 2 0	42 12 0	14 4 0
A Gathering, etc.	-	-	-	-	58 9 7	Nil
2.Muhammadan.	169½ G.P.	152¾	1 12 0	1 14 0	296 10 0	286 6 6
	1 G.P.F.C. quarto	1 G.P.F.C. quarto.	0 14 0	0 15 0	0 14 0	0 15 0
Alterations ..	91	114	0 6 0	0 2 0	34 2 0	14 4 0
A Gathering etc.,	23	--	0 4 0		5 12 0	--
	--	--	--		37 7 6	Nil.
3.Indian Christian.	115 G.P.F.C. 4to D.Col.	7 G.P.F.C. 4to D.Col.	0 14 0	0 15 0	100 10 0	6 9 0
		82 Eng.Body S.Col.F.C. quarto.		0 12 0		61 8 0
	1 G.P.F.C. quarto D.Col.	1 G.P.F.C. quarto D.Col.	0 14 0	0 15 0	0 14 0	0 15 0
Alterations, etc.	114	114	0 4 0	0 2 0	28 8 0	14 4 0
A Gathering ..	-	-			29 5 0	Nil
				Total:-	2241 14 2	1701 7 6

M

P.T.O.

14

Details.		Total: Claimed by the Press. Rs.	As.	Ps.	Total: Admitted by the Government Press. Rs.	As.	Ps.
Carried over	..	2241	14	2	1701	7	6
Paper cost	..	65	4	0	65	4	0
Claim and objection statement for the Indian Legislative Assembly	..	3	4	0	Nil		
-do- -do-	..	3	4	0	Nil		
Heading slips for Kasargod Taluk	..	3	0	0	Nil		
Contingent charges	..	5	9	6	Nil		
Grand Total..		2322	3	8	1766	11	6.

15-1-6
5 9 6
9-8-0

5-5-41.

Superintendent,
Government Press, Madras.

15

Public (Elections) Dept.

Memo. No. 11021/41-2 d/ 15/5/41

Electoral Rolls - Provincial Legislature - Annual revision, 1937 - Printing charges - Suit notice by Manager, Hari Hara Press, Puttur - Ref. letter from the Collector of South Kanara, Ref. A3-6698/40 dated 25-3-1941.

A copy of the letter from the S.G.P. No. P.P.712 dated 6-5-1941, with its enclosure, is forwarded to the Collector of South Kanara. In the circumstances explained by the S.G.P., the Collector is requested to state whether he still considers that the claim of the printer for the payment of Rs.555-7-8 should be admitted. He is also requested to report whether the R.D.O., Puttur, took any agreement from the printer in regard to the rates etc. to be paid to him for the execution of the work and, if so, whether the claim of the printer is based on these rates. The reply to this reference should be submitted through the Board of Revenue

To

The Collector of S.Kanara) with
Copy to the Board of Revenue) copy of pages 11-14 C.F)

R.D. 1 month

17

C.F. 31—12,006—28-11-39

REVENUE **DEPARTMENT.**

14/ Cug 1877

CURRENT No.

Received _____ 19 *Registered* _____ 19

ASSISTANT SECRETARY TO GOVT. 6 - JUL 1941 CHIEF SECRETARIAT

Subject.

ELECTIONS - (South Kanara) - Electoral Rolls, 1937 - Arrears of printing charges - Suit filed by the Manager, Hari Hara Press, Puttur - Report - Submitted.

20716
7.7

Ref. A. No. 1139/41-2.

Station Chepauk, Madras, *Dated the* 3rd July 1941. 19

Public (Elns)

From

S. Venkateswaran, Esq., I.C.S.,
Secretary,
Board of Revenue.

Endt 11021-3 d 10.7.41
Communicated to the S.G.P. for information

To The S.G.P. (with copy of his cy)

J. B. Brown, Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue.

Read the following:-

I.

Memorandum from Government, Public (Elections) Department, No.11021/41-2, dated the 15th May 1941.

II.

From the Collector of South Kanara, No. Nil, dated the 26th June 1941.

M I

A suit has been filed in the matter and it stands posted to 3rd October 1941. The report called for in the Government Memorandum will be sent along with the report to the Board applying for sanction for the defence of the suit and I shall send my report in a month's time.

REFERENCE:-

Submitted to the Government for information.

N. Ayyaswami
for Secretary.

To

The Secretary to Government, Public (Elections) Department.

T.D.R.4-7-.

19

C.F. 31—12,006—28-11-39

REVENUE **DEPARTMENT.**

CURRENT No.

Received 2 SEP 1941 19 *Registered* 99451 19

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT CHIEF SECRETARIAT

Subject.

SUITS - (South Kanara) - Puttur District Munsiff's Court, O.S.180/41 - Electoral Rolls - 1937 - Arrears of printing charges - Suit filed by the Manager, Hari Hara Press, Puttur - Defence - Board's remarks submitted.

Misc. No. 2391.

Station Madras, *Dated the* 29th August 19 41.

From

S.Venkateswaran, Esq., I.C.S.,

Secretary,

Board of Revenue.

J.B.Brown, Esq., C.I.E.,I.C.S.
Commissioner of Land Revenue

Read:--

i Letter from M.V.Subrahmanyan, Esq., I.C.S., Collector of South Kanara, Ref.A.3-6698-40 dated 25.3.1941.

ii Memorandum from the Government, Public (Elections) Department, No.11021/41-2 dated 15.5.1941.

iii Endorsement from the Government, Public (Elections) Department, No.11021/41-4 dated 28.7.1941.

iv Letter from A. Lepper Esq., Superintendent, Government Press, No.Comp/Mis., dated 20th August, 1941.

SUBJECT:

Elections (South Kanara) - Electoral Rolls 1937 - Arrears of printing charges - suit filed by the Manager, Hari Hara Press, Puttur

With reference to Board's Ref.A.No.1139-41-3 dated 2-8-41 I have the honour to state that the prevailing rates on 7-1-38, the day on which the offer of printing was accepted are those approved in Government Memorandum No. 19683-2 dated 26.8.37. These rates are generally less by

less by two annas for every page, and did not include charges for altering the readings in respect of printing the local bodies electoral rolls.

2. A statement showing the approximate amount that would have been due to the Press at the rates prevailing on 7.1.36 is enclosed herewith.

ENCLOSURE.

Details of works.		Amount admissible as per rate prevailing on 7.1.1936. Rs.	A.	P.
A. Puttur Taluk.				
1. General Constituency	...	432	4	0
-do- Supplt.	...	5	11	0
Alteration of reading D.B.	...	23	0	0
Binding charges	...	...		
2. Muhammadan	...	36	12	0
		76	12	0
		0	8	0
Alteration of reading D.B.	...	23	0	0
Gathering, collating etc.	...	...		
3. Indian Christian	...	14	0	0
		7[illegible]	[illegible]	0
		1	12	0
Alteration of reading D.B.	...	23	0	0
Gathering, collating etc.	...	...		
B. Kasaragod Taluk.				
1. General	...	486	8	0
		0	14	0
Alteration D.B.	...	14	4	0
Gathering and collating	...	...		
2. Muhammadan	...	267	5	0
		0	14	0
Alteration D.B.	...	14	4	0
Gathering, Collating	...	...		
3. Indian Christian	...	0	2	0
		51	4	0
		0	14	0
Alteration D.B.	...	14	4	0
Gathering, Collating	...	...		
Paper cost	...	65	4	0
Claim and objection statement for Indian Legislative Assembly	...	...		
-do-	...	...		
Contingent Charges	...	...		
Total	Rs.	1,636	0	0

RESOLUTION:

Submitted to the Government.

2. One of the contentions of the plaintiff is that the

21

is that the rates prescribed by the Government for printing work have been reduced subsequent to the contract on 7.1.38 and that he is entitled to be paid at the rates in force on the day when the offer of printing was accepted by him. The Board has ascertained from the Superintendent Government Press, that the amount payable to the plaintiff at the rates which prevailed on 7.1.38 would be only ~~a fact~~ about Rs.1636 as against ~~Rs.1636~~, the amount actually paid to him viz., Rs.1766-11-6. The plaintiff cannot have therefore, any legitimate grievance even on this ground. The Board considers that this is a fit case for defence and would suggest the addition of the following to para 6 of the written statement:--

Para 20 ante

Para 23 infra

Para infra

"There was in fact no intention to pay him at less than the prevalent rates. The amount that would have been payable at the rates as they prevailed on 7.1.38 when the work was offered to the plaintiff would be only Rs.1636-0-0. The Plaintiff's contention in para 3 (g) of the plaint is thus ~~xxxxxxxxxxx~~

para 3 infra

22.

baseless"

N. Aiyaswami
30.8-31

for Secretary.

To the Secretary to Government,

Public (Elections) Department,

(with the Collector's letter and enclosures in original) and records.

S.E.R. 29.8.

6.0 3/9

[Original of pp 23 - 40 sent to Bd - with 22 ...]

Copy of letter from the Collector of South Kanara, Ref.A.3. 6698/40, dated the 24th July 1941.

Suits - Puttur District Munsif's Court - O.S.180/41 - Elections - Electoral Rolls, 1937 - Final rolls - Provincial - Legislature - Printing charges - Arrears of payment - Government Memorandum No.11021/41-2, Public (Elections) Department, dated the 15th May 1941.

The letter P.P.712, dated the 6th May 1941 of the Superintendent, Government Press, received with the above Government Memorandum has now given an entirely different aspect to the matter in question. The amount claimed by the Printer and that allowed by the Superintendent are stated below as mentioned in the statement accompanying the Superintendent's letter.-

	Claimed by the Printer. Rs	Admitted by the Government Press. Rs
1. Printing charges.	2241-14-2	1701- 7-6
2. Paper cost.	65-4- 0	65- 4-0
3. Claim and objection statement for the Indian Legislative Assembly.	3- 4-0	Nil.
4. Do. do.	3- 4-0	Nil.
5. Heading slips for Kasaragod Taluk.	3- 0-0	Nil.
6. Contingent charges.	5- 9-6	Nil.
	2322- 3-8	1766-11-6.

Para. 3 of the Superintendent's letter shows the reasons for the difference between the sum Rs 2241-14-2 claimed and Rs 1701-7-6 (item 1) allowed. The only items that were not fully paid are the last four items. The last item, viz., Rs 5-9-6 claimed as contingent charges was inadmissible (please see para. 5 of the Superintendent's letter). Items 3 to 5 were disallowed by the Superintendent (para. 5 of the Superintendent's letter) apparently for the reasons specified in the Superintendent's letter (P.P.712, dated 26-10-1938 (page 2913 of this office D.Dis.2230/37, Volume VII). The Revenue Divisional Officer, Puttur did not take any agreement from the Printer in regard to the rates, etc., to be paid to him for the execution of the work. The crux of the case is that there was only one bill sent up in which all the claims were included, the claims were scrutinised and allowed to the extent admissible, but a separate supplemental bill was called for, with proper information, only in regard to certain items which totalled up to Rs 15-1-6 (items 3 to 6 in the tabular statement above), that of these one item (item 6) is inadmissible, and the question of payment, will arise only in respect of the remaining amount of Rs 9-8-0.

The Printer has filed a suit in the District Munsif's Court, Puttur and it stands posted to 3rd October 1941. A copy of the plaint is enclosed. A draft written statement was prepared in the office on the lines indicated above and sent to the Government Pleader, Mangalore for scrutiny. The Government Pleader, in his letter Ref.A.510-41, dated the 12th July 1941 (copy enclosed) stated that the claim had been rejected not for non-conformity to any formality by the plaintiff but because the rates allowed by the Superintendent were in accordance with the Government Memorandum dated 8th February 1938 and that as payment was made in accordance with the rates prescribed a month later and not according to the rates obtaining on the day of contract, the suit could not be

be defended successfully except the claim for interest. In this office Ref. A3.6698/40, dated the 17th July 1941, it was pointed to the Government Pleader that the statement accompanying the Superintendent's letter P.P.712, dated the 6th May 1941, showed that the rates adopted by the Superintendent were in most cases higher than the rates claimed by the plaintiff and that the claims were cut down because of mistakes in the claim of the kind set out in paragraph 3 of the Superintendent's above letter and the Government Pleader was requested to offer his further remarks. In his reply Ref. A.525/41, dated the 18th July 1941 (copy enclosed) the Government Pleader reiterates that it is difficult to resist the contention of the plaintiff that he is entitled to demand payment according to the Government rates prevailing at the time the offer was made to him and that if the present claim is right on that footing, no useful purpose would be served by defending the action. I do not think that there is very much point in the Government Pleader's opinion. The important thing is that the claims on the bill had been made by the plaintiff himself and he cannot be heard to say now that he was entitled to any different rates and the presumption of the Government Pleader that there were any such rates is hypothetical. I enclosed herewith a draft written statement as drafted in this office and recommend that the suit may be defended.

The records mentioned below are enclosed for reference and return.-

(1) D.Dis. 2230/37, Volume VII.
(2) D.Dis. 7359/1938.
(3) D.Dis. 4805/39.
(4) Revenue Divisional Officer's D.Dis.No. 3140/37, Volume V

Copy of letter Ref.No.A.510/41 dated 12th July, 1941 from the Government Pleader and Public Prosecutor, Mangalore to ~~the Government Pleader and Public Prosecutor, Mangalore to~~ the Collector of South Kanara.

Suits - Puttur Dt. Munsif's Court - C.S.No.180 of 1941 - Elections - Electoral Rolls ~~x~~ 1937 - Final rolls - Provincial Legislature - Printing charges - arrears of payment.

Ref:- Your Ref.A3.6698/40 dated 9th July, 1941.

What appeared to be the point of dispute on the last occasion the papers were referred to me was whether the payment of Rs.555-7-8 to the plaintiff for the printing of the Panchayat Rolls could be refused for nonsubmission of the specimen forms and slips - vide Office Note II of 21-10-1940. It is now seen that the amount disallowed on the ground is only about Rs.15-1-6. The rest of the claim has been rejected not for non conformity to any formality by the plaintiff, but because the rates allowed by the Superintendent were in accordance with the Government memo. of 8-2-1938. The plaintiff claims that he is entitled to payment according to the rates prescribed by the Govt. as obtaining on the date of the contract viz., 7-1-1938. Hence the real issue in the case centres on the rates governing the contract between the parties. Now no formal agreement as such seems to have been entered into; but the offer of the Revenue Divisional Officer in his letter of 6-1-1938 and the acceptance by the Plaintiff by his reply of 7-1-1938 are enough to constitute the contract. In his letter the Revenue Divisional Officer promised payment "in accordance with the rates prescribed by the Govt". This can relate only to rates then obtaining, and not rates that may be fixed thereafter. The Superintendent apparently is of opinion that the Plaintiff is entitled to payment at the rates prescribed a month later. But this position is hardly defensible. One party to a contract cannot by a unilateral notification vary the terms of the contract he has entered into. If the offer of the Revenue Divisional Officer was that payment would be made in accordance with rates to be prescribed by the Government it would of course

rates on p13 of (N)

M

~~haxat~~

be different. As this is the pith and substance of the case, it is advisable that the matter may be reconsidered. I venture to doubt whether the suit could be defended successfully except the claim for interest. Pending reconsideration, the Pleader for Government at Puttur may be asked to take time for the written statement.

All the enclosures and the draft statement are returned.

Copy of letter Ref.No.A.525/41, dated 18-7-41 from the Goernment Pleader and Public Prosecutor, Mangalore to the Collector of South Kanara.

Suits - Puttur Dt. Munsif's Court - O.S.180/1941 - Elections - Electoral rolls - 1937 - Final rolls - Provincial Legislature - Printing charges - arrears of payment.

Your Ref.A3.6698/1940 dated 17th July, 1941.

pp 11-14 cont

I had perused the letter of the Superintendent of 6-5-1941 at the time I sent my last letter; and I had also noticed that in some cases the rates allowed on some items were higher than the rates claimed. But as I stated in my last letter the real question in the case relates to the rate at which the plaintiff is entitled to payment; Is it the rate obtaining on the day of the contract or on 8-2-1938? It is difficult to resist the contention of the Plaintiff that he is entitled to demand payment according to the Government rates prevailing at the time the offer was made to him. If the present claim is right on that rooting and the Superintendent may be asked to verify then I do not think any useful purpose would be served by defending the action except to the extent stated by me, alleging payment at a subsequent day's rate even though on some items payment may have been made at a rate much higher than that claimed.

All the enclosures are returned.

(True Copy)

In the Court of the District Munsiff, Puttur.

31

C.S. No.180/1941.

Between

H.Subraya Kamath. Plaintiff.

versus

The Province of Madras. Defendant.

*****

Under section 26 and rule 1 to 7 of Order VII of the Code of Civil Procedure.1908.

Plaintiff states as follows :

1. That plaintiff H. Subraya Kamath, son of H.Ganapathi Rau and Manager of Hari Hara Press of Puttur, realdes in --- Puttur village, Puttur Taluk.

His address for service is "Manager, Hari Hara Press Puttur, Puttur Post, S.Kanara".

2. That defendant is the Province of Madras represented by the Collector of South Kanara District, Mangalore Post.

3(a) That the plaintiff has been conducting a printing press styled "Hari Hara Press, Puttur, S.K.". for a considerable time and brings this action as manager thereof.

(b) That the defendant, through his agent, the Revenue Divisional Officer, Puttur, S.K. entered into a pure and single contract by correspondence dated the 6th and 7th January 1938 with the plaintiff. Under the contract, the plaintiff was asked by the Revenue Divisional Officer, Puttur, to print the Electoral Rolls, relating to the General Mohammadan and Christian constituencies of Puttur Registration area of the Madras Legislative Assembly for 1937 according to manuscript copies and printing paper to be furnished by the Revenue Divisional Officer. The printing work was to be finished by the end of February 1938. The contract entered into between and defendant was incapable of variations and fluctuations. According to the said contract. the defendant

P.T.O

consented to pay plaintiff for the work done at the then current rates prescribed by Government.

(c). That in the course of printing the electoral rolls, various suggestions, instructions and alterations made by the Revenue Divisional Officer, Puttur were piously observed. -- though not bound to do so in the interest of public service a good deal of correspondence passing between the plaintiff and the Revenue Divisional Officer. The paper supplied being insufficient in quantity, plaintiff used his own paper by consent. The printing of electoral rolls was completed and the required clean printed copies were furnished to the defendant's agent in time the work was flatly accepted by the defendant's agent.

(d) That the plaintiff furnished the defendant's agent on the 28th July 1938 with the detailed revised bills dated 1-7-1938 with specimen copies of all the printed electoral roll as the original bills were returned for correction. According to original contract, plaintiff was not bound to furnish specimen copies But plaintiff furnished specimen copies with a view to obtain payment as early as possible.

(e) That payment of the bill was unduly delayed and after good deal of correspondence by post and telegram, out of Rs. 2322-3-0 billed for, and due to plaintiff, a sum of Rs. 1766- 12-0 was only paid to the plaintiff on the 31st October 1938 and the balance of Rs. 555-7-8 has never reached the hands of the plaintiff. Representations and grievances of the plaintiff were urged before the Revenue Divisional Officer Collector of the District and the Superintendent, Government Press, Madras for payment of the balance, but none has heeded the cry of the plaintiff.

(f) That plaintiff, a very poor printer had to invest money in purchasing printing materials and paper by borrowing and had to pay heavy rate of interest. As the defendant delayed payment never made promptly and fully to plaintiff and compelled plaintiff to waste postage and telegram charges for the unnecessary and uncalled for correspondence plaintiff has

undergone a great loss in the bargain. The anticipated profit was counter balanced by the loss. Hence plaintiff claims interest at the least possible rate over the dues by way of damages.

(g) That it would appear that the rates prescribed by Govt. for printing work have been reduced since the contract and plaintiff smells an offer of pa yment at the reduced rates. Plaintiff urges that he has not consented to receive the price of work done at the reduced rates nor is he bound to do so.

(h) That it is apparent that the defendant fights shy ofthe payment of the printing charges on another ground that fresh bills have to be drawn up at the reduced rates with another set of specimen copies of printed electoral rolls. This idea is impossible of performance as the plaintiff already handed over one complete set of printed electoral rolls on the 28th July 1938 to the Revenue Divisional Officer with the bills and as he has not retained a second set. As all the printed electoral rolls were duly published and as the manuscript copies are still with the defendant, there need be no further proof that the electoral rolls were duly printed by the plaintiff.

(i) That as the defendant is unduly delaying the complete payment to the plaintiff for no fault of the plaintiff, plaintiff is entitled to the full claim of printing and other charges minus the amount already received, with the rate of interest claimed below on the full claim from the date of finishing the work.

(j) That though plaintiff issued a legal notice to the defendant under sec.80 of the Civil Procedure Code, the claim has not been met by the defendant.

4(a) That the cause of action for this suit arose on the 1st March 1938 at Puttur within the jurisdiction of this court.

(b) That as there was an interim part payment of the claim on the 31st October 1938, this claim is not time-barred under section 20 of the Indian Limitation Act 1908.

5. That plaintiff values the claim made at Rs.743-9-0 for purposes of court fees and jurisdiction.

... a lease ... the ... result

... of ... plaintiff ...

... possible ... dues ...

...

(g) ... appear that ... ...

... have been reduced ... the court ...

plaintiff ... an offer of payment at the reduced rate.

Plaintiff urges that he has not ... to receive the ...

of work done at the reduced rate ... is he bound to do so.

(h) That it is apparent that the defendant fights ... the payment of the printing charges on ... ground that the bills have to ... at the reduced rates ... of specimen copies of printed electoral rolls. ... is impossible of performance as the plaintiff already ... over one complete set of printed electoral rolls on the ... July 1968 to the Revenue Divisional Officer with the bills ... he has not retained a second copy. As all the printed electoral rolls were duly published ... the manuscript copies are still with the defendant, there need be no further proof that the electoral rolls were duly printed by the plaintiff.

(i) ... as the defendant is unduly delaying the complete payment to the plaintiff for no fault of the plaintiff, plaintiff is entitled to the full claim of printing and other charges ... the amount ... received, with the rate of interest ... from the date of finishing the work.

(j) That though plaintiff ... legal notice to the defendant under sec. ... of the Civil Procedure Code, the claim ... on ... the defendant.

(k) That the cause of action for this suit arose ... Puttur within the jurisdiction of this court.

(l) That ... there ... part payment ... the ... on ... October ..., this claim is not time-barred under ... the ... Limitation Act 1908.

... of ...

... court ...

6. (i) That plaintiff therefore prays for decree and judgment directing defendants to pay to the plaintiff out of the assets of the Provincial Government of Madras

(a) Principal of Rs.	2322-3-8
(b) Interest on this amount at 6¼ p.c. per annum from 1-3-38 up to 31-10-38	96-12-0
Total.	2418-15-8
(c) Deduct the amount received on 31-10-38	1766-12-0
Balance.	652- 3-8
(d) Add interest on balance principal Rs.555-7-8 from 1-11-38 up-to-date	89-12-4
(e) Cost of legal notice.	1- 9-0
Total.	743- 9-0

(ii) Directing defendant to pay the said total sum of Rs.743-9-0 and court costs with future interest on both the items at the said rate to the plaintiff.

and

(iii) Granting to plaintiff such other and consequential relief as the court may deem fit to grant.

(True copy)

Sd.

for Collector.

6. (i) That plaintiff [illegible] for [illegible] and [illegible] to the plaintiff [illegible] provincial [illegible].

(a) Principal of [illegible]	[illegible]
(b) [illegible]	[illegible]
Total.	[illegible]
(c) [illegible] received on 1-1[illegible]	17[illegible]6-1[illegible]-0
Balance.	[illegible]
(d) Ad interest on balance principal) Rs.[illegible] from 1-11-36 up-to-date)	[illegible]
(e) Cost of legal notice.	1- [illegible]
Total.	743- 9-0

(ii) Directing defendant to pay the said total sum of Rs.743-9-0 and court costs with future interest on both the items at the said rate to the plaintiff.

and

(iii) Pressing to plaintiff [illegible] other as [illegible] equential relief as the court may deem fit to grant.

(True copy)

for Collector.

35/A

IN THE COURT OF THE DISTRICT MUNSIF, PUTTUR.

O.S.NO.180/1941.

Between.-

H. Subraya Kamath .. Plaintiff

and

The Province of Madras .. Defendant.

Written statement of the defendant.

The defendant begs to state as follows.-

The defendant denies that any contract was executed by the plaintiff. The Revenue Divisional Officer, Puttur in his letter dated 6-1-1938 asked the plaintiff whether he was willing to undertake the work of printing the electoral rolls of the General, Muhammadan and the Indian Christian Constituencies of the Madras Legislative Assembly for the Puttur Registration area for 1937 in accordance with the rates prescribed by the Government and in his reply dated 7-1-1938, the plaintiff undertook to execute the work.

2. The defendant submits that the cost of paper has been paid to the plaintiff. The plaintiff did not furnish specimen copies of the Panchayat Boards rolls of Puttur Taluk and of forms, claims and objection statement relating to those rolls.

3. Only one bill for Rs.2322-3-8 was preferred by the plaintiff. This amount included the cost of printing Panchayat Board rolls also. A sum of Rs.1766-12-0 out of the above amount was paid to the plaintiff. The charges for printing the electoral rolls for Panchayat Boards were not allowed as specimen copies of the same had not been enclosed with the bill. The plaintiff was therefore asked to prepare and send a consolidated bill in duplicate together with printed specimens of Panchayat Board rolls, at 0-8-0 a page and for Rs.6-4-0 being the charges for claims and objections statement form, heading slips, etc., which had been disallowed for want of specimens. The amount disallowed for the above reasons was Rs.15-1-6 as specified below.-

Lit also on plaintiff

Claim and objection statement for the Indian. Legislative Assembly.	3-4-0
do.	3-4-0
Heading slips for Kasaragod Taluk.	3-0-0
Contingent charges.	5-9-6
	15-1-6

Out of the balance of Rs.2307-2-2 a sum of Rs.1766-11-6 or Rs. 1766-12-0 which includes the cost of paper of Rs.65-4-0 claimed by the plaintiff was paid to him and the difference disallowed for one or the other of the following reasons.-

(1) Excess claims with reference to the actual number of appearing pages.
(2) Wrong claims under double column printing instead of single column printing.
(3) Mingling of claims pertaining to different type sizes.
(4) Claims above the maximum rate fixed by Government in respect of alteration of heading to local boards.

The claims were subject to scrutiny of the Superintendent of the Government Press; and the Superintendent had properly diallowed these portions of the claims as being wrong or unjustifiable.

4. The defendant submits that the sum of Rs.1766-12-0 could not be paid to the plaintiff earlier as certain formalities had to be observed before payment was made. As for the balance of Rs.555-7-8, mentioned in the plaint, the defendant submits that the plaintiff has no claim whatever to the amounts disallowed on scrutiny by the Superintendent, Government Press; the only claim disallowed owing to defective presentation was Rs.15-1-6 in regard to the Panchayat Board rolls; that out of this Rs.5-9-6 claimed as contingent charges was inadmissible and that the balance was not paid to the plaintiff as he did not prefer a supplemental bill enclosing specimen copies.

5. The defndant does not admit the averments in the plaint which have not been specifically traversed above and puts the plaintiff strictly to the proof thereof.

6. With regard to para 3 (g) of the plaint, the defendant states that plaintiff was paid at the maximum rate.

7. The defendant prays, therefore, that the plaintiff's claim may be dismissed with costs.

/True Copy/

Collector.

Revenue Department.

30626/1619.

Subject.

SUITS - Puttur District Munsif's Court - O.S.180/41 - Elections - Electoral Rolls, 1937 - Final rolls - Provincial Legislature - Printing charges - Arrears of payment.

ASSISTANT SECRETARY 16 SEP 1941 CHIEF SECRETARIAT

Ref. A. No. 3579-41-1.

Station Madras Dated 15th September 1941.

From

S. Venkateswaran Esq., I.C.S.,
Secretary, Board of Revenue.

J. B. Brown Esq., C.I.E, I.C.S.,
Commissioner of Land Revenue.

Read:

I.

Pp 19-22 ante B.P. Mis. No. 2391 dated 29-8-41.

II.

From M.V. Subrahmanyan Esq., I.C.S., Collector of South Kanara Ref.A.3-6698-40 dated 9th September 1941.

Suits - Puttur District Munsif's Court - O.S.180/41 -Elections- Electoral Rolls, 1937 - Final rolls - Provincial Legislature - Printing charges - Arrears of payment.

Pp 23-25 ante I request the favour of early orders on my Ref.A.3-6698-1940

46

dated 24-7-1941, on the above subject. The suit stands posted to 3-10-1941.

REFERENCE:

Submitted to the Government.

Ramachandran.
For SECRETARY. 15.9.41

To

The Chief Secretary to Government,
Public (Elections) Department.

Crt.15.9.

15.9.

41

Public(Elections) Dept.

Electoral Rolls - Provincial Legislature - Annual revision, 1937 - Printing charges - Claim - Suit notice by Manager, Hari Hara Press, Puttur.

pp 1-8 cf [C.No: 11021/41]

[From the Board of Revenue, Ref.A.No.1139/41-1 dated 3-4-1941]

p. 9 cf [Endorsement to the S.G.P. No.11021-1 Pub(Elec) dated 5-4-1941]

pp 11-14 cf [From the S.G.P.No.P.P.712 dated 6-5-1941]

Please see the letter from the Collector of South Kanara and its enclosure on pages 3-8 and the remarks of the S.G.P. thereon at pages 11-14 C.F.

pp 7-8 cf

2. The Collector of South Kanara has submitted a copy of the suit notice received by him on behalf of the Manager, Hari Hara Press, Puttur, in respect of a claim of Rs.555-7-8 being the balance said to be due to the press from the Govt. as printing charges. The facts of the case briefly are as follows:-

A on p 3 cf

A sum of Rs.2322-3-8 was claimed by the Manager of the Hari Hara Press, Puttur, S.Kanara, as printing charges of the final electoral rolls of 1937 relating to the General, Muhammadan and Indian Christian Constituencies of the Legislative Assembly for the Puttur Revenue Division Registration area. The bill was duly certified by the R.D.O. Puttur and sent to the S.G.P. for scrutiny and payment. The S.G.P. passed the bill for Rs.1766-12-0 disallowing the balance of Rs.555-7-8. For the reasons explained in his letter on pages 3-6 C.F. the Collector recommends that the balance may be sanctioned by the Govt. to be paid to the printer.

B on p 5 cf

The Collector seems to be under the impression that the balance of Rs.555-7-8 represents the cost of the Panchayat Board rolls relating to Puttur which the S.G.P. ~~refused to pay~~ did not pass for payment as the printer had not submitted specimen copies of the rolls printed

12

by him. From the S.G.P's remarks on pages 11 - 12 C.F. it appears that the Collector's presumption is not correct. From the statement furnished by the S.G.P. it is seen that only in the case of the*marginally noted items amounting to Rs.9-8-0, the claims of the printer ~~were completely~~ was wholly disallowed for want of specimen copies. See para 5 on p 12 cf. In other cases the claims were either wholly inadmissible or the short admittance was due to one or the other following causes:-

*Claim & objection statement for the Indian Legislative Assembly	3-4-0
-do-	3-4-0
Heading slips for Kasargod Taluk	3-0-0
	9-8-0

(1) Excess claims with reference to the actual number of appearing pages.

(2) Wrong claims under Double column printing instead of single column printing.

(3) Mingling of claims pertaining to different type sizes.

(4) Claims above the maximum rate fixed by Govt. in respect of alteration of heading to local boards.

The S.G.P. is therefore of opinion that the claim of the printer has been completely settled except for the three items mentioned on ~~page~~ the margin ~~ante~~ and the contingent charges of Rs. 5--9--6, which is inadmissible. The S.G.P. is prepared to pass the claim for the three items amounting to Rs.9-8-0 ~~xxxx~~ without specimen copies being submitted by the printer, if the Govt. so ~~desire~~ order.

p. 14 L

3 Submitted that the opinion of the Govt. Pleader at X on page 5 cf. seems to have been based on wrong facts. The statement furnished by the S.G.P. shows that the charges for printing of the panchayat board rolls have not been completely disallowed. On the other hand they have been admitted at the rates prescribed in Memo. No.3604 Pub(Elec) dated 8-2-1938. In the circumstances it does not seem that the recommendation of the Collector of South Kanara for the full payment of the claim can be accepted. A copy of the letter from the S.G.P. may perhaps be sent to the Collector and he may be asked to state whether, in the light of the details furnished by the S.G.P., ~~whether~~ he still considers that the claim of the printer

D pp 6-7 ... pp 12-13 of (N)

11021

for Rs.555-7-8 should be admitted. He may also be asked to report whether the R.D.O. Puttur, ~~has taken~~ took any agreement from the printer regarding the rates that should be allowed and whether the claim made by the printer is based on that agreement.

A draft memo. is submitted.

No agreement was taken — vide A on p 24 c.f.

? there was an agreement, the higher rate allowed by the SGP in certain cases and be reduced — see S on p 12 cf

V.V.R. 9.5.41

draft may be approved

12/5

C.S.

13/5

10/5/41

p 15 c.f.

p 17 c.f.

pp 19-22 c.f.

(Issued as Memo. No.11021/41-2, Pub.(Elec.),d/ 15-5-41

From the Board of Revenue, Ref.A.No.1139/41-2, dated 3rd July 1941.

From the Board of Revenue, Misc.No.2391 dated 29-8-41.

Please see the Memo. on page 15 and the further correspondence on pp.17-37 c.f. The Harihara Press, Puttur, has filed a suit against the Provincial Govt. in the District Munsif's Court, Puttur and it stands posted to 3-10-1941. The letter from the Collector of South Kanara on pp.23-25 c.f. and the draft written statement on pp.35-37 cf explain the case in detail.

p 17 c.f.

A Copy of the plaint is at pp 31-34 cf.

The Board considers that this is a fit case for defence and suggests the addition of the following to paragraph 6 of the written statement:-

p 21 c.f.

& p 40 c.f. copy.

" There was in fact no intention to pay him at less than the prevalent rates. The amount that would have been payable at the rates as they prevailed on 7-1-38 when the work was offered to the plaintiff would be only Rs.1636-0-0. The plaintiff's contention in para 3 (g) of the plaint is thus baseless."

X on p 21 c.f.

(x) vide statement on p 20 c.f.

@ Z on p 33 c.f.

The Board's view may be accepted and the draft

written statement submitted by the Collector with the addition suggested by the Board may be approved. The remarks of Legal may be invited. Revenue and E. & P.H. may also see the case.

The Board's view that the Suit Shd. be contested may be accepted. Legal may be requested to sanctionise the draft written statement.

5.9.41

6.9.41

7/9

CS

3206 G

Rev

Legal

RW Dept

It is possible that the suit will be withdrawn when the written statement is filed

9/9

10 9

E.P.H

E&P.H.(F) Dept

May be perused and the

DEPUTY SECRETARY TO GOVERNMENT
10 SEP 1941
EDUCATION AND PUBLIC HEALTH DEPARTMENT

5

42

case passed on to Legal.

D
11/9

JD
11 9 41

The point made by the Govt Pleader (27 25 c.f.) is for Legal

WS
11/9
Legal

Est P.H. no 35627 F/41 Edn
11/9/41

ASSISTANT SECRETARY
5933
12 SEP. 1941
LEGAL DEPARTMENT

AS I

Legal Department

The point made by the Government Pleader, Mangalore (M on page 27 25 c.f.), is fully met by the Board's letter at pages 20-21 c.f. It is pointed out by the Board that if payment had been made to the plaintiff at the rates prevailing on the date of completion of the contract (7-1-1938), he would have got less than the amount actually paid to him. The addition suggested by the Board to paragraph 6 of the written statement at X on page 21 c.f. makes this clear and is in order.

pp 38-40 cf. copy

2. It is observed from the statement at page 13 c.f. that charges for binding, gathering, collating, etc. have not been admitted by the Superintenden Government Press. This is due to the fact set out in paragraph 4 at page 12 c.f. viz. that charges for folding, gathering, etc. are to be taken as included in the cost per page, which is in excess of that claimed by the printer. A reference to this species of disallowance is not however made in the written statement - See the portion sidelined in blue at page 40 36 c.f. A specific reference to these disallowances may also be made in this portion of the

written statement. The following may be added after (4):-

"(5) Claims for gathering, collating, etc., which are not separately allowed in addition to the rate per page."

15/9/41

16/9/41

Pub (Sl^ns)

Legal no. 5933-1
16/9/41

Public (Elections)

Please see the Legal Deptt. remarks on pp 5-6 above. The suggestion at X above may be accepted. A draft order is submitted for approval. Finance may see before issue.

17.9.41

17.9.41

Finance (Acct)

May be accepted

17/9/41

18/9 Pub (Sl)

O.T.O.

ASSISTANT SECRETARY TO GOVT. 17 SEP 1941 CHIEF SECRETARIAT

Informally ... Finance

20765
17-9

Pub (Elec) no 110216
17-9

20065
18-9

Fin: no 31750 Accts
18-9-41

ASSISTANT SECRETARY TO GOVERNMENT 17 SEP 1941 FINANCE DEPARTMENT
17.9.41

ASSISTANT SECRETARY TO GOVT. 18 SEP 1941 CHIEF SECRETARIAT

47 7

Public (Elections)

9/1919

MC 104

The draft may now issue.

18

Ina

18/9/41

18/9/41

CS

Issue

SR

18

* Issued - p42 cf.

A1 (after issue) 20.9.41

A4

UNDER SECRETARY
23 SEP 1941
CHIEF SECTT.

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT
23 SEP 1941
CHIEF SECRETARIAT

11021 49

Public (Elections) Deptt.

C.F.17.

DRAFT FOR APPROVAL.

	Date.	
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT:

SUITS - South Kanara - Puttur District Munsifs Court - Electoral rolls, 1937 - Arrears of printing charges - Suit filed by the Manager, Harihara Press, Puttur - Defence of the suit - Orders passed.

READ AGAIN _____ _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

p19-22 c.f. No. _____ From the Board of Rev. Misc No. 2391, dated 29-8- 1941.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order ~~Resolution~~ Ms. ~~Rout.~~ No. 2051, dated 18-9- 1941.

For a precedent vide G.O. 1855 Rev 13-8-40 cf — p 23 cf (R) vide [illegible] of p 38 c.f.

Issue today

pp 38-40 cf

× pp 19-22 cf

× on pp 21-22 cf

Ina 18/9

2.45 P.M

Sanction is accorded for the defence of the suit in O.S.No.180/1941 on the file of the District Munsif's Court, Puttur.

2. The draft written statement submitted by the Board of Revenue with its reference read above, with the addition suggested by it, is approved subject to the following further addition:-

In para 3 of the written statement the following ~~shall~~ shares be added after reason (4), namely:-

"(5) Claims for gathering, collating, etc., which are not separately allowed in addition to the rate per page."

X cmp 6 IV

To

The Bd. of Revenue (with ends.) ✓

The Collector of S.Kanara thro' the Bd. of Rev. ✓ ~~(with records)~~ with copy of Bd's [illegible]

Copy to the Rev. Deptt. ✓

" S.G.P. (with copies of Board's ref. on pp.19-22 and the written statts on pp.35-37 c.f.)

E. & P.H. Deptt. ✓

Finance Deptt. A. by through the Finance Deptt.

pp 23-37 c.f. in original

keeping copy and records at (X), (Y), (Z) & (W) [illegible] for details

17.9.41

Ina 17.9.41

17/9

sent
Enclosures/to Board:

1) D.Dis.2230/37, Vol.VII,
2) D.Dis.7359/1938, d/5-6-39
3) D.Dis.4805/39, d/19.12.39
4) Rev.Divl. Officer's D.Dis.3140/37, Vol.V.
5) Letter from the Collecto of S.Kanara, No. A3-6698-40, d/24-7-1941 and its enclosures.